

### **Remarks/Arguments**

Reconsideration of this application is requested.

#### **Extension of Time**

Enclosed is a petition and authorization to charge fees for a three month extension of the period within which to respond to the office action mailed on August 12, 2004. The extended period for response expires on February 14, 2005.

#### **Priority**

The priority statement is amended as follows to be in compliance with the conditions for receiving the benefit of earlier filing dates under 35 USC 119(e):

"This application claims the priority of United States provisional patent application Serial No. 60/208,818 filed 5/12/00, and is a continuation-in-part of United States application Serial Number 09/295,470 filed 4/19/99, now abandoned, which claims the priority of United States provisional patent application Serial Number 60/085,674 filed 05/15/98."

Applicant apologizes for the previous confusion on this point and requests that a corrected filing receipt be issued showing the correct priority information.

#### **Objections to Title**

The title is objected to as not descriptive. In response, the title is amended to be clearly indicative of the invention to which the claims are directed.

#### **Objections to Abstract**

The abstract of the disclosure is objected to under MPEP 608.01(b) as exceeding 150 words. In response, the abstract is amended to be in compliance with MPEP 608.01(b). The noted subject matter at lines 16-22 is deleted.

#### **Objections to Specification**

The specification is objected to as failing to provide antecedent basis for the subject matter of claims 7, 22 and 37. In response, paragraph [0045], pages 9-10, is amended to provide antecedent basis for the subject matter of claims 7, 22 and 37. No new matter is added.

### **Objections to Drawings**

Figure 13 is objected to under 37 CFR 1.84(p)(5) because it includes reference sign 174 rather than 174A-J as was mentioned in the description at page 11, paragraph [0050]. In response, paragraph [0050] is amended to mention reference sign 174, rather than 174A-J, so that it corresponds with the drawings. Since the specification is now in conformity with Figure 13, the objection should be withdrawn.

Figure 11 is objected to because reference sign 98 is first shown in Figure 10, but first described in reference to Figure 11. In response, the description of Figure 10 in paragraph [0044] is amended to refer to reference sign 98. Since the specification is now in conformity with Figs. 10-11, the objection should be withdrawn.

### **Claim Objections**

Claims 20-33 and 35 -48 are objected to for having preambles inconsistent with base claims 19 and 34 from which they depend. In response, the preamble of independent claim 19 is amended to state "A remote control device ...", so that it is consistent with preambles of dependent claims 20-33, which state "The device of...". Similarly, the preamble of independent claim 34 is amended to state "A device for use in a conventional arrangement ...wherein the device comprises ...", so that it is consistent with preambles of dependent claims 35-48, which state "The device of...". In view of these amendments, the objections should be withdrawn.

### **Claim Rejections – 35 USC 102**

Claims 19-29, 31-44 and 46-48 are rejected under 35 USC 102(b) as anticipated by Viney et al. (USP 6,034,722). Applicant respectfully traverses these rejections, and has amended independent claims 19 and 34 to emphasize and clarify their distinctions relative to Viney et al.

Claims 19 and 34 each recite a remote control having, among other things, a camera control handle (as amended). Camera control handle 126 is illustrated in Figure 11 and provides the significant advantage of enabling the operator of the

remote control to control a remote imaging device as if he/she were in actual physical control of the imaging device, even though it is mounted on a moveable image platform such as a helicopter. The motion of the image platform (helicopter), in turn, may be controlled by an operator independent of the operator controlling the imaging device (camera).

The remote control and viewing unit (RCVU) 3 of Viney, by contrast, does not include a camera control handle. Indeed, Viney's RCVU 3 controls the movement of total station 1 itself, on which camera 11 is mounted, and thus would have no need for a camera control handle since it is not directly controlling the movement of a camera. It is controlling the movement of the station 1 on which the camera is mounted.

Since Viney does not disclose each and every element of claims 19 and 34, it cannot anticipate claims 19 and 34 or claims 20-29, 31-33, 35-44 and 46-48 dependent thereon. For this reason, the rejection of the claims under 35 USC 102(b) should be withdrawn.

#### **Claim Rejections – 35 USC 103**

Claims 1-18 are rejected under 35 USC 103(a) as obvious over Viney et al. in view of Tyler. Claim 1, like claims 19 and 34, is amended to more clearly recite that the remote control has a camera control handle. Tyler contains no teaching of a remote control unit, and thus cannot teach a remote control unit having a camera control handle. Accordingly, the combination of Viney and Tyler cannot render claims 1-18 obvious. For this reason, the rejection of the claims under 35 USC 103 should be withdrawn.


### Conclusion

This application is now believed to be in condition for allowance. The Examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response, including the fees for a three month extension of time, may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

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By: \_\_\_\_\_

  
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